



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

ZONING MAP CHANGE REPORT



This item (Attachment 8) is a component of the 'Ravenstone-Anderson Marlowe' Annexation request (Case BDG1500012). Please refer to that case for additional details and referenced attachments

Meeting Date: December 21, 2015

Table A. Summary			
Application Summary			
Case Number	Z1500038A	Jurisdiction	City
Applicant	Marlowe Builders	Submittal Date	August 20, 2015
Reference Name	Ravenstone-Anderson Marlowe	Site Acreage	4.74
Location	South of Wake Forest Highway, east of Sherron Road		
PIN(s)	0861-01-10-8115.SPL, -19-8815		
Request			
Proposed Zoning	Commercial Center with a Development Plan, Falls/Jordan Watershed Protection Overlay-B, CC(D), F/J-B - City	Proposal	27,800 square feet of retail space
Site Characteristics			
Development Tier	Suburban Tier		
Land Use Designation	Commercial		
Existing Zoning	Commercial Center with a Development Plan, Falls/Jordan Watershed Protection Overlay-B, CC(D), F/J-B - County		
Existing Use	Vacant		
Overlay	F/J-B	Drainage Basin	Falls Lake
River Basin	Neuse	Stream Basin	Lick Creek
Determination/Recommendation/Comments			
Staff	Staff determines that the applicant requests an initial zoning that is not the least intense zoning based on the Development Tier and size of the lot. Residential Rural (RR) would be the least intense zoning applicable for this site. Staff will provide two recommended alternatives at the end of this report.		

A. Summary

This is a request to establish the initial zoning designation of a two parcel, 4.74 acre site from CC(D), F/J-B (County) to CC(D), F/J-B (City). This request is associated with an annexation petition to annex two parcels, 4.74 acre site into the City of Durham (Case BDG1500012).

Staff determines that the applicant requests an initial zoning that is not the least intense zoning based on the Development Tier and size of the lot.

The subject site was rezoned with a development plan that was previously approved by both the Durham City Council and the Durham Board of County Commissioners. The rezoning request was required by both governing bodies as a portion of the subject site is presently located within the City's jurisdiction. Council approved this request on December 18, 2006 and the Board of County Commissioners granted approval at their January 8, 2007 meeting.

The request of the exact translation is in harmony with the *Comprehensive Plan*. The future land use map recommends this site for commercial development.

B. Site History

There have been no recent development requests for this site.

C. Committed Elements.

Text commitments were proffered to commit to requirements in excess of ordinance standards during the previous rezoning. Below is a list of the two Committed Elements for this request. Additional visual committed elements can be found in Table 3, below.

Committed Elements:

1. Residential uses shall not be permitted
2. Maximum building square footage shall be 27,800 square feet.

D. Site Conditions and Context

Site Conditions. The 4.74 acre site is located to the east of the intersection of Sherron Road at Wake Forest Highway (U.S. Highway-98) (Attachment 1). The site is presently undeveloped.

Area Characteristics. The site is in the Suburban Tier and fronts along Wake Forest Highway (US-98). Directly south of the subject site are residential subdivisions. East of the site are residential properties and west is a commercial shopping center. North of the site, across Wake Forest Highway, are residentially zoned properties.

The site is boarded by CC(D) zoning to the west, RS-20 to the north, RR to the east, and RS-10(D) to the south.

Determination. The applicant proposes to apply the current County zoning designations of CC(D), F/J-B to the site. As previously noted, this request differs from Council intent to apply the least intense zoning based on the tier and size of the lot(s). In this case, the least intense zoning would be RR for the entire site.

Staff determines that the previously approved Development Plan (Attachment 6), and the commitments proffered at the time of approval, sufficiently addresses any issues related to this inconsistency. Furthermore, the Comprehensive Plan supports the requested zoning designations.

E. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Tables 2 and 4 for additional information.

Determination. Staff determines that adequate utility services and transportation infrastructure are available for the site. A TIA was not required as part of the previous rezoning request.

F. Staff Analysis

Staff determines that the applicant requests an initial zoning that is not the least intense zoning based on the Development Tier and size of the lot. RR would be the least intense zoning applicable for this site.

G. Alternatives

Alternatives
Based on the information above, Staff presents the following two alternatives for the Council to consider:
Alternative A
If the annexation petition is approved, adopt the applicant's requested zoning, Commercial Center with a Development Plan, F/J-B (CC(D), F/J-B)
Alternative B
If the annexation petition is approved, direct staff to initiate an initial zoning change to the least intensive zoning applicable to this site, Residential Rural (RR, F/J-B)

H. Supporting Information

Table 1.A District Requirements – CC(D)		
	Code Provision	Required
Minimum Site Area (square feet)	6.11.5B.1	Four (4) acres
Project Floor Area (square feet)	N/A	N/A
Minimum Lot Width (feet)	N/A	100
Minimum Street Yard (feet)	6.10.1B.1	25
Minimum Side Yard (feet)	6.10.1B.1	25
Minimum Rear Yard (feet)	6.10.1B.1	25
Maximum Height (feet)	6.10.1B.1	50

Table 2. Roadway Impacts		
Affected Segments	Sherron Road	NC 98
Roadway Capacity (LOS D) (ADT)	34,000	17,700
Latest Traffic Volume (AADT)	10,000	12,000
Traffic Generated by Present Designation (average 24 hour)	48*	
Traffic Generated by Proposed Designation (average 24 hour)	1,262**	
Committed Transportation Elements		

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2012);

NC 98: 2-lane Class I Arterial with left-turn lanes

Sherron Road: 5-Lane undivided city/county class I arterial

Source of Latest Traffic Volume: 2013 NCDOT Traffic Count Map

*Assumption (Max Use of Existing Zone) – 5 single family lots

**Assumption (Max Use of Proposed Zoning) – 27,800 sq.ft. shopping center expansion to existing approved 78,800 shopping center

Table 3. Summary of Development Plan Commitments		
Committed Elements	<p>Committed Elements</p> <ol style="list-style-type: none"> 1. Residential uses shall not be permitted 2. Maximum building square footage shall be 27,800 square feet. <hr/> <ol style="list-style-type: none"> 1. Three specific building envelope locations 2. Specific parking area location 3. Buffer and tree replacement areas 4. Specific stormwater detention location 5. 50 foot transitional use setback 	Cover
		Sheet D-002

Table 4. School Impacts			
The maximum residential use at the site is estimated to generate 2 students. The proposed commercial zoning translation at this site would negate this impact. Durham Public Schools serving the site are Bethesda Elementary School, Lowes Grove Middle School, and Hillside High School.			
Students	Elementary School	Middle School	High School
Current Building Capacity	16,794	7,760	10,259
Maximum Building Capacity (110% of Building Capacity)	18,473	8,536	11,285
20 th Day Attendance (2014-2015 School Year)	16,5545	7,465	10,074
Committed to Date (July 2012 through June 2015)	185	83	59
Available Capacity	1,743	988	1,152
Students Generated – Current Zoning*	1	0	1
Students Generated – Proposed Zoning**	0	0	0
Impact at subject site	-1	0	-1

*Maximum use based on least intensive residential zoning – 5 single family units

**Maximum use based on exact translation – 27,800 square feet of commercial space